

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MARK I. SOKOLOW, *et al.*,

Plaintiffs,

v.

THE PALESTINE LIBERATION
ORGANIZATION, *et al.*,

Defendants.

Civil Action No. 04cv397 (GBD) (RLE)

**DEFENDANTS' MOTION PURSUANT TO 28 U.S.C. § 1406(a)
TO TRANSFER OR DISMISS**

COMES NOW, Defendants The Palestine Liberation Organization (“PLO”) and the Palestinian Authority (“PA”) (collectively, “Defendants”), by and through counsel, and pursuant to Fed. R. Civ. P. 7 and 28 U.S.C. § 1406(a), respectfully request that the Court dismiss this case, or transfer the case to a district in which it could have been brought. In support of such motion, Defendants state as follows:

1. This Court’s March 30, 2011 Memorandum Decision and Opinion, DE 87, effectively establishes that venue does not lie in the Southern District of New York.

2. As a result, the Court also lacks personal jurisdiction over the Palestinian Authority and the Palestine Liberation Organization, because the nationwide service provision in the Antiterrorism Act of 1991, 18 U.S.C. § 2334(a), is dependent on establishing venue in the first instance.

For these reasons, and those set forth in the accompanying Memorandum of Law in Support, the Court should GRANT Defendants' motion and dismiss this case or transfer the case to the United States District Court for the District of Columbia.

Respectfully Submitted,

April 20, 2011

/s/ Mark J. Rochon
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